

RLC:SLT
F.# 2007R00229

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X
UNITED STATES OF AMERICA

DECLARATION

- against -
NIKOLAI DOZORTSEV,

Criminal Action
Nos. 08-044 (S-1) (CPS)
07-736 (S-3) (CPS)

Defendants,

- and -

IRENA DOZORTSEV,
EUGENE DOZORTSEV,
LARISA DOZORTSEV,
IGOR KATZMAN, and
ARTHUR DOZORTSEV,

Sureties.

- - - - -X

STEVEN L. TISCIONE hereby declares as follows:

1. I am an Assistant United States Attorney, duly appointed according to law and on the staff of the Office of BENTON J. CAMPBELL, United States Attorney for the Eastern District of New York, attorney for plaintiff.

2. On October 15, 2007, United States Magistrate Judge Steven Gold set bail in the above-entitled action for NIKOLAI DOZORTSEV at ONE MILLION, EIGHT HUNDRED THOUSAND DOLLARS (\$1,800,000.00), as is reflected in his bail bond, a copy of which is annexed hereto as "Exhibit A," signed by him and the sureties listed in the caption of this declaration: IRENA DOZORTSEV, EUGENE DOZORTSEV, LARISA DOZORTSEV, IGOR KATZMAN, and

ARTHUR DOZORTSEV.

3. The bail was secured by the premises and real property located at 2805 Ocean Parkway, Apt. 10B, Brooklyn, New York, owned by SURETY IRENA DOZORTSEV.

4. The bail was further secured by premises and real property located at 150 West End Avenue, Brooklyn, New York, owned by SURETIES LARISA DOZORTSEV and EUGENE DOZORTSEV.

5. The bail was further secured by premises and real property located at 41 Willow Road, Woodmere, New York, owned by SURETY IGOR KATZMAN.

6. The bail was further secured by premises and real property located at 411-415 John Street, Elizabeth, New Jersey, owned by SURETY ARTHUR DOZORTSEV.

7. On April 1, 2009, the government sought to revoke NIKOLAI DOZORTSEV's bond, on the grounds that he had violated the conditions of his release by engaging in new criminal conduct while released on bond. Specifically, between the date of his release on bond, October 15, 2007, and March 1, 2009, NIKOLAI DOZORTSEV committed 156 separate acts of health care fraud in violation of 18 U.S.C. § 1347, resulting in the payment of approximately \$50,000 in fraudulent Medicaid benefits. See Affidavit in Support of Motion to Revoke Bail (attached hereto as Exhibit B). Based upon the Affidavit concerning NIKOLAI DOZORTSEV's new criminal activity set forth above, Magistrate

Judge Joan Azrack issued a warrant for the defendant's arrest. After a bond revocation hearing on April 2, 2009, Judge Azrack held that NIKOLAI DOZORTSEV had violated the terms of his bond and revoked NIKOLAI DOZORTSEV's bond.

WHEREFORE, the United States respectfully requests (1) an order, pursuant to Rule 46(f)(1) of the Federal Rules of Criminal Procedure, forfeiting to the United States the bail posted herein; (2) an order, pursuant to Rule 46(f)(3) of the Federal Rules of Criminal Procedure, entering judgment on the bail bond of NIKOLAI DOZORTSEV, against NIKOLAI DOZORTSEV as defendant, and IRENA DOZORTSEV, EUGENE DOZORTSEV, LARISA DOZORTSEV, IGOR KATZMAN, and ARTHUR DOZORTSEV, as sureties in the amount of One Million, Eight Hundred Thousand Dollars (\$1,800,000.00); (3) an order forfeiting to the United States all rights, title and interest in the premises and real property located at 2805 Ocean Parkway, Apt. 10B, Brooklyn, New York, owned by SURETY IRENA DOZORTSEV, posted as security for NIKOLAI DOZORTSEV's bail bond; (4) an order forfeiting to the United States all rights, title and interest in the premises and real property located at 150 West End Avenue, Brooklyn, New York, owned by SURETIES LARISA DOZORTSEV and EUGENE DOZORTSEV, posted as security for NIKOLAI DOZORTSEV's bail bond; (5) an order forfeiting to the United States all rights, title and interest in the premises and real property located at 41 Willow Road,

Woodmere, New York, owned by SURETY IGOR KATZMAN, posted as security for NIKOLAI DOZORTSEV's bail bond; (6) an order forfeiting to the United States all rights, title and interest in the premises and real property located at 411-415 John Street, Elizabeth, New Jersey, owned by SURETY ARTHUR DOZORTSEV, posted as security for NIKOLAI DOZORTSEV's bail bond; (7) an order directing the United States Marshal to place the United States of America in immediate peaceful and exclusive possession of the aforementioned parcels of real property; and (8) an order appointing a Receiver, pursuant to Rule 69 of the Federal Rules of Civil Procedure and Section 5228 of the New York Civil Practice Laws and Rule, to take possession of and sell the aforementioned parcels of real property and apply the sale

proceeds in partial satisfaction of the judgment entered against
NIKOLAI DOZORTSEV and the SURETIES.

I declare under the penalty of perjury that the
foregoing is true to the best of my knowledge, information and
belief.

Dated: Brooklyn, New York
April 2, 2009.

STEVEN L. TISCIONE
Assistant U.S. Attorney

RLC:SLT
F.# 2007R00229

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- against -

NIKOLAI DOZORTSEV,

Defendants,

- and -

IRENA DOZORTSEV,
EUGENE DOZORTSEV,
LARISA DOZORTSEV,
IGOR KATZMAN, and
ARTHUR DOZORTSEV,

Sureties.

- - - - -X

**ORDER DIRECTING ENTRY
OF JUDGMENT AND
APPOINTMENT OF RECEIVER**

Criminal Action
Nos. 08-044 (S-1) (CPS)
07-736 (S-3) (CPS)

The United States of America having moved for
(1) an order, pursuant to Rule 46(f)(1) of the Federal Rules of
Criminal Procedure, forfeiting to the United States the bail
posted herein; (2) an order, pursuant to Rule 46(f)(3) of the
Federal Rules of Criminal Procedure, entering judgment on the
bail bond of NIKOLAI DOZORTSEV, against NIKOLAI DOZORTSEV as
defendant, and IRENA DOZORTSEV, EUGENE DOZORTSEV, LARISA
DOZORTSEV, IGOR KATZMAN, and ARTHUR DOZORTSEV, as sureties in the
amount of One Million, Eight Hundred Thousand Dollars
(\$1,800,000.00); (3) an order forfeiting to the United States all
rights, title and interest in the premises and real property
located at 2805 Ocean Parkway, Apt. 10B, Brooklyn, New York,

owned by SURETY IRENA DOZORTSEV, posted as security for NIKOLAI DOZORTSEV's bail bond; (4) an order forfeiting to the United States all rights, title and interest in the premises and real property located at 150 West End Avenue, Brooklyn, New York, owned by SURETIES LARISA DOZORTSEV and EUGENE DOZORTSEV, posted as security for NIKOLAI DOZORTSEV's bail bond; (5) an order forfeiting to the United States all rights, title and interest in the premises and real property located at 41 Willow Road, Woodmere, New York, owned by SURETY IGOR KATZMAN, posted as security for NIKOLAI DOZORTSEV's bail bond; (6) an order forfeiting to the United States all rights, title and interest in the premises and real property located at 411-415 John Street, Elizabeth, New Jersey, owned by SURETY ARTHUR DOZORTSEV, posted as security for NIKOLAI DOZORTSEV's bail bond; (7) an order directing the United States Marshal to place the United States of America in immediate peaceful and exclusive possession of the aforementioned parcels of real property; and (8) an order appointing a Receiver, pursuant to Rule 69 of the Federal Rules of Civil Procedure and Section 5228 of the New York Civil Practice Laws and Rule, to take possession of and sell the aforementioned parcels of real property and apply the sale

proceeds in partial satisfaction of the judgment entered against NIKOLAI DOZORTSEV and the SURETIES; and it appearing to the Court from the declaration of Assistant United States Attorney Steven L. Tiscione dated this 2nd day of April, 2009, submitted in support of the United States' application, and from all the previous Court's records herein, that the relief requested should be granted, it is hereby

ORDERED that the defendant NIKOLAI DOZORTSEV's bail is hereby forfeited; and it is further

ORDERED that the Clerk of the United States District Court for the Eastern District of New York is hereby directed to enter judgment against the defendant NIKOLAI DOZORTSEV, as principal, and IRENA DOZORTSEV, EUGENE DOZORTSEV, LARISA DOZORTSEV, IGOR KATZMAN, and ARTHUR DOZORTSEV, as sureties, jointly and severally in the amount of ONE MILLION, EIGHT HUNDRED THOUSAND Dollars (\$1,800,000.00); and it is further

ORDERED that all rights, title and interest in the premises and real property located at 2805 Ocean Parkway, Apt. 10B, Brooklyn, New York, owned by SURETY IRENA DOZORTSEV, posted as security for NIKOLAI DOZORTSEV's bail bond are hereby forfeited to and vested in the United States; and it is further

ORDERED that all rights, title and interest in the premises and real property located at 150 West End Avenue, Brooklyn, New York, owned by SURETIES LARISA DOZORTSEV and EUGENE

DOZORTSEV, posted as security for NIKOLAI DOZORTSEV's bail bond are hereby forfeited to and vested in the United States; and it is further

ORDERED that all rights, title and interest in the premises and real property located at 41 Willow Road, Woodmere, New York, owned by SURETY IGOR KATZMAN, posted as security for NIKOLAI DOZORTSEV's bail bond are hereby forfeited to and vested in the United States; and it is further

ORDERED that all rights, title and interest in the premises and real property located at 411-415 John Street, Elizabeth, New Jersey, owned by SURETY ARTHUR DOZORTSEV, posted as security for NIKOLAI DOZORTSEV's bail bond are hereby forfeited to and vested in the United States; and it is further

ORDERED that the United States Marshal is directed to place the United States of America in immediate peaceful and exclusive possession of the aforementioned parcels of real property, and it is further

ORDERED that _____ of _____ is hereby appointed receiver of the aforementioned parcels of real property; and it is further

ORDERED that the Receiver take such steps as are reasonably necessary to sell the real property and to preserve them during the period of the Receivership estate; and it is further

ORDERED that the Receiver may incur such expenses that are reasonable and necessary to preserve and to sell the real property, including, but not limited to, brokers' fees and commissions, utilities, heat, insurance, local taxes, legal fees, accountants' fees, managing agent fees or commissioner; and it is further

ORDERED that the Receiver obtain three appraisals of each piece of real property from disinterested licensed real estate brokers familiar with the value of similar parcels in the locale where the parcel is located, and submit copies of there appraisals to the Court, to the parties having pledged the parcel, and to the attorney for the United States of America, with a copy of any contract of sale entered into for a parcel; and it is further

ORDERED that within ten days after the Receiver has served the aforementioned copies of the contract of sale and the appraisals any interested party may file his or her objection to the proposed sale with the Court; and it is further

ORDERED that out of the gross proceeds of the sale the Receiver shall first pay the reasonable and necessary expenses incurred by him in preserving, and selling the premises; and it is further

ORDERED that the Receiver retain five (5) percent of the gross proceeds of the sale as his commission; and it is further

ORDERED that, if any reasonable and necessary expenses of the Receiver must be paid prior to the sale, the Receiver shall submit the bills for those expenses to the United States Attorney, who will advance funds to pay those expenses; and it is further

ORDERED that all funds advanced by the United States Attorney to pay expenses incurred by the Receiver shall be reimbursed by the Receiver to the United States Attorney out of the gross proceeds of sale; and it is further

ORDERED that the proceeds of the sale remaining in the hands of the Receiver after payment of the necessary and reasonable expenses, Receiver's commissions and the reimbursement to the United States Attorney for funds advanced by him, plus the balance on hand of any rent received, shall be delivered to the United States Attorney and credited against the judgment entered in the above-entitled criminal proceeding; and it is further

ORDERED that the Receiver is empowered to execute any and all documents that are necessary for conducting the sale and the title closing; and it is further

ORDERED that the Receiver may request ex parte to have the Court direct the United States Marshal place the Receiver in

exclusive peaceful possession of all of the real property; and it is further

ORDERED that during the period of receivership, the Receiver is authorized and directed to:

1. Collect and receive all rents, issues and profits accrued or accruing from any parcel;

2. Employ, discharge, and fix the compensation of all such agents and employees as are necessary for the management and operation of the real property;

3. Pay the essential operating and maintenance expenses and to make such repairs as may be necessary to preserve the real property and prevent its deterioration; and

4. Enter into leases with existing or new tenants of the premises; and it is further

ORDERED that, in addition to the Receiver's commission previously provided for, the Receiver may retain five (5) percent of the gross rents he collects during the period of Receivership.

Dated: Brooklyn, New York
April , 2009

HONORABLE CHARLES P. SIFTON
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK

RLC:SLT
F.# 2007R00229

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- against -

NIKOLAI DOZORTSEV,

Defendants,

- and -

IRENA DOZORTSEV,
EUGENE DOZORTSEV,
LARISA DOZORTSEV,
IGOR KATZMAN, and
ARTHUR DOZORTSEV,

Sureties.

- - - - -X

**ORDER OF FORFEITURE
OF REAL PROPERTY
AND JUDGMENT**

Criminal Action
Nos. 08-044 (S-1) (CPS)
07-736 (S-3) (CPS)

The United States of America having moved this Court on the 2nd day of April, 2009, for an order forfeiting to and vesting in the United States of America all right, title and interest in the premises and real property located at 2805 Ocean Parkway, Apt. 10B, Brooklyn, New York, owned by surety IRENA DOZORTSEV, more fully described as follows:

The Unit known as No. 2B in the building known as 2805 Ocean Parkway in the Borough of and County of Brooklyn, City and State of New York, (Block 07260, Lot 1104) bounded and described as follows: BEGINNING at a point on the easterly side of Ocean Parkway, distant 272 feet 8 inches northerly from the corner formed by the intersection of the easterly side of Ocean Parkway with the northerly side of Neptune Avenue;

RUNNING THENCE northerly along the easterly side of Ocean Parkway, 18 feet 4 inches; THENCE easterly at right angles to Ocean Parkway, 136 feet 2-1/2 inches to land late of William Grave; THENCE southerly along the land of te late William Gravel, 18 feet 4-1/2 inches to a point in a line drawn at right angles from the point of beginning and distant 139 feet 6 inches easterly therefrom.; Thence Westerly along the said right angle line and part of the distance through a party wall 139 feet 6 inches to the easterly side of Ocean Parkway at the point or place of beginning.; and

it appearing to the Court that the relief sought should be granted, it is hereby

ORDERED that all right, title and interest of IRENA DOZORTSEV, as surety, in the parcel of real property known as 2805 Ocean Parkway, Apt. 10B, Brooklyn, New York, is forfeited to and vested in the United States of America.

Dated: Brooklyn, New York
April , 2009

HONORABLE CHARLES P. SIFTON
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK

RLC:SLT
F.# 2007R00229

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- against -

NIKOLAI DOZORTSEV,

Defendants,

- and -

IRENA DOZORTSEV,
EUGENE DOZORTSEV,
LARISA DOZORTSEV,
IGOR KATZMAN, and
ARTHUR DOZORTSEV,

Sureties.

- - - - -X

**ORDER OF FORFEITURE
OF REAL PROPERTY
AND JUDGMENT**

Criminal Action
Nos. 08-044 (S-1) (CPS)
07-736 (S-3) (CPS)

The United States of America having moved this Court on the 2nd day of April, 2009, for an order forfeiting to and vesting in the United States of America all right, title and interest in the premises and real property located at 150 West End Avenue, Brooklyn, New York, owned by sureties LARISA DOZORTSEV and EUGENE DOZORTSEV, more fully described as follows:

In the Borough of and County of Brooklyn,
City and State of New York, (Block 08719, Lot
0020) bounded and described as follows:
BEGINNING at a point on the westerly side of
West End Avenue distant 355 feet Northerly
from the corner formed by the intersection of
the westerly side of West End Avenue with the
Northerly side of Oriental Boulevard;
RUNNING THENCE Westerly parallel with
Oriental Boulevard, 122.61 feet;

THENCE Northerly parallel with West End Avenue, 160 Feet;
THENCE easterly parallel with Oriental Boulevard 122.61 feet to the Westerly side of West End Avenue;
THENCE Southerly along the Westerly side of West End Avenue 160 feet to the point or place of BEGINNING.; and

it appearing to the Court that the relief sought should be granted, it is hereby

ORDERED that all right, title and interest of LARISA DOZORTSEV and EUGENE DOZORTSEV, as sureties, in the parcel of real property known as 150 West End Avenue, Brooklyn, New York, is forfeited to and vested in the United States of America.

Dated: Brooklyn, New York
April , 2009

HONORABLE CHARLES P. SIFTON
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK

RLC:SLT
F.# 2007R00229

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- against -

NIKOLAI DOZORTSEV,

Defendants,

- and -

IRENA DOZORTSEV,
EUGENE DOZORTSEV,
LARISA DOZORTSEV,
IGOR KATZMAN, and
ARTHUR DOZORTSEV,

Sureties.

- - - - -X

**ORDER OF FORFEITURE
OF REAL PROPERTY
AND JUDGMENT**

Criminal Action
Nos. 08-044 (S-1) (CPS)
07-736 (S-3) (CPS)

The United States of America having moved this Court on the 2nd day of April, 2009, for an order forfeiting to and vesting in the United States of America all right, title and interest in the premises and real property located at 41 Willow Road, Woodmere, New York, owned by SURETY IGOR KATZMAN, more fully described as follows:

In the County of Nassau, State of New York,
Parcel Number 41-40-570, Book Number 12179,
Page Number 198; and

it appearing to the Court that the relief sought should be granted, it is hereby

ORDERED that all right, title and interest of IGOR KATZMAN, as surety, in the parcel of real property known as 41

Willow Road, Woodmere, New York, is forfeited to and vested in
the United States of America.

Dated: Brooklyn, New York
April , 2009

HONORABLE CHARLES P. SIFTON
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK

RLC:SLT
F.# 2007R00229

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X
UNITED STATES OF AMERICA

- against -

NIKOLAI DOZORTSEV,
Defendants,

- and -

IRENA DOZORTSEV,
EUGENE DOZORTSEV,
LARISA DOZORTSEV,
IGOR KATZMAN, and
ARTHUR DOZORTSEV,

Sureties.

- - - - -X

**ORDER OF FORFEITURE
OF REAL PROPERTY
AND JUDGMENT**

Criminal Action
Nos. 08-044 (S-1) (CPS)
07-736 (S-3) (CPS)

The United States of America having moved this Court on
the 2nd day of April, 2009, for an order forfeiting to and
vesting in the United States of America all right, title and
interest in the premises and real property located at 411-415
John Street, Elizabeth, New Jersey, owned by SURETY ARTHUR
DOZORTSEV, more fully described as follows:

In the County of Union, State of New Jersey,
Parcel Number 04 00009-0000-00856, Book
Number 5562, Page Number 166; and

it appearing to the Court that the relief sought should be
granted, it is hereby

ORDERED that all right, title and interest of ARTHUR
DOZORTSEV, as surety, in the parcel of real property known as

411-415 John Street, Elizabeth, New Jersey, is forfeited to and
vested in the United States of America.

Dated: Brooklyn, New York
April , 2009

HONORABLE CHARLES P. SIFTON
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK